

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONAL HEALTHCARE SERVICES, INC., :

Plaintiff, :

v. :

**PENN TREATY AMERICAN
CORPORATION, et al.** :

Defendants. :

**CIVIL ACTION
NO. 02-CV-3600**

ORDER

AND NOW, this _____ day of _____, 2004, upon consideration of the motion for summary judgment of defendants Penn Treaty American Corporation, Penn Treaty Network America Insurance Company, and Senior Financial Consultants Company (collectively, "**Defendants**"), the response of plaintiff National Healthcare Services, Inc. ("**Plaintiff**") thereto, and a hearing thereon having been held, it is hereby

1. **ORDERED, ADJUDGED and DECREED** that Defendants' motion for summary judgment be, and the same hereby is, **DENIED**; and it is hereby

2. **FURTHER ORDERED, ADJUDGED and DECREED** that summary judgment be, and the same hereby is, entered in favor of Plaintiff and against Defendants on Count One of this civil action; and it is hereby

3. **FURTHER ORDERED, ADJUDGED and DECREED** that the parties shall have _____ days to complete expert discovery on damages; and it is hereby

4. **FURTHER ORDERED, ADJUDGED and DECREED** that trial of this matter limited solely to determining the amount of damages sustained by Plaintiff shall be held on

_____, 2004.

BY THE COURT:

MARY A. MCLAUGHLIN, J.